

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JOSEF VOLMAN,

Plaintiff,

-against-

64TH & 3RD ENTERPRISES LLC, *doing business*  
*as* Tony's Di Napoli, and 64TH STREET - THIRD  
AVENUE ASSOCIATES, LLC,

Defendants.

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1:21-cv-10705-MKV

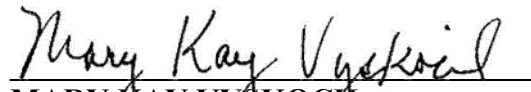
ORDER OF DISMISSAL

MARY KAY VYSKOCIL, United States District Judge:

The Court is in receipt of a letter from the plaintiff stating that the parties have reached a settlement in principle [ECF No. 23]. Accordingly, IT IS HEREBY ORDERED that the above-captioned case is discontinued without costs to any party and without prejudice to restoring the case to this Court's calendar if the application to restore is made by November 14, 2022. If no such application is made by that date, today's dismissal of the action is with prejudice. *See Muze, Inc. v. Digital On Demand, Inc.*, 356 F.3d 492, 494 n.1 (2d Cir. 2004). All other dates and deadlines are adjourned *sine die*.

**SO ORDERED.**

**Date: October 14, 2022**  
**New York, NY**

  
MARY KAY VYSKOCIL  
United States District Judge